

**MAINE FUEL BOARD
MEETING MINUTES**

Meeting Date: August 21, 2014
Meeting Location: Central Conference Room
Time Meeting Began: 9:05 a.m.

CALL TO ORDER AND WELCOME/INTRODUCTIONS

Board Chair, Barry Austin, called the meeting to order.

The following members were present:

Barry Austin
Paul McClay
Lionel Landry
Jeffrey Choate
Charles Martin
David Foster
Dale Canning
Jonathan Klages

The following members were absent:
Mark Bossie

Staff Present:

Catherine Carroll, Board Administrator
Vickey Gray, Board Clerk
Peter Holmes, Senior Inspector

AAG Present:

Judith Peters

OLD BUSINESS

Action on Board Minutes of July 10, 2014 - A motion was made to approve the July 10, 2014 minutes as written.

Motion: David Foster
Second: Jonathan Klages
Unanimous

NEW BUSINESS

Adjudicatory Hearing (2014-FUE-9852)

Board Chair Barry Austin opened the hearing of an appeal of a preliminary denial of a re-instatement license application. The appellant was not present and was not represented by counsel.

A motion was made to uphold the preliminary denial based on default.

Motion: Paul McClay
Second: Charles Martin
Unanimous

Chapter 13, Section 13.7

Department of Professional and Financial Regulation's Commissioner Anne Head recommended that the board adopt all sections of Chapter 13 with the exception of Section 13.7, and postpone consideration of Section 13.7 until there's been a thorough examination of comments in the record regarding conversion burner rules.

A motion was made to adopt all of Chapter 13 with the exception of Section 13.7 and to form a committee to review Section 13.7.

Motion: Dale Canning
Second: Jonathan Klages
Unanimous

Complaint Presentation (2013-FUE-9273)

Judith Peters presented the facts of the case. A motion was made to dismiss the complaint due to lack of jurisdiction.

Motion: Jonathan Klages
Second: David Foster
Unanimous

Senior Inspector's Report - Peter Holmes reported on the following: Emerging Technologies Project

- There has been an additional installation with a total of 12 installations since the start of the pilot project.
- No other companies have applied for a similar pilot project.

Maine State Fire Marshal's Office

- There have been no requests for assistance.

Fairs

- Inspectors have been inspecting tanks at fairs and finding an improvement in tanks complying with the rules. The most common violations are the lack of adequate tank support and use of outdated tanks.

Dispensers

- The information in the ALMS database with respect to dispensers is getting “cleaned up”. A lot of “expired or failed to renew” dispensers are actually gone and need to be confirmed and terminated in the licensing system.
- A couple of auto gas dispensers have been put into service with several more in the works. The Sanford school district is the third school district to switch from diesel to propane gas.

CNG

- Construction has begun on a CNG dispenser at the Eliot compressor station, but is not licensed, yet. This facility is proposed to fuel transport tractors for delivering CNG trailers to daughter stations.

UMO Bridge Project

- The UMO Composites lab did their bridge explosion test, but due to lack of adequate notification, Dale Hersey was not able to witness the test. No injuries or problems were reported.

Administrators Report

Catherine Carroll informed the Board that Prometric has indicated that the revisions to the master, journeyman and appliance connection & service examinations have been placed into production effective August 5, 2014. Members of the inspection staff will take the examination(s) to ensure that the revisions are in place.

OTHER BUSINESS

KVCC – Request for Program Approval

A motion was made to approve Kennebec Valley Community College's Energy Services and Technology (EST) Associates Degree Program pursuant to 32 M.R.S. §18133 (2)(C).

Motion: Charles Martin
Second: Dale Canning
Unanimous

Building Performance Institute – Revised Energy Auditor Program

The members reviewed a request from the Building Performance Institute to approve five additional certifications: Envelope Professional, Heating Professional, A/C & Heat Pump Professional, Energy Auditor, and the Quality Control Inspector as qualifications for the Limited Energy Auditor license.

A motion was made to accept the five certifications as meeting the requirements for Limited Energy Auditor license.

Motion: Dale Canning
Second: Lionel Landry
In Favor: Dale Canning and Lionel Landry
In Opposition: Barry Austin, Paul McClay, Jeffrey Choate, Jonathan Klages, David Foster, Charles Martin
Motion failed

Jonathan Klages stated that he would like to invite a representative from the Building Performance Institute to meet with the board to answer questions and provide additional course information.

A motion was made to table action on this item.

Motion: Paul McClay

Second: Jonathan Klages

In Favor: Barry Austin, Paul McClay, Jeffrey Choate, Jonathan Klages, David Foster, Charles Martin

In Opposition: Dale Canning and Lionel Landry

Motion carried

Board Discussion questions raised by the Chair

1. Does the Maine Fuel Board allow the use of Mega Press fittings on oil tank fill and vent piping?

Peter Holmes indicated that the Board had approved the use of these fittings for gas piping but NFPA 31 does not allow the use of such connectors on oil tanks inside or outside above ground.

2. Does the Board have jurisdiction over individuals wishing to buy or sell oil from tanks which have been temporarily taken out of service in order to use a conversion burner?

Peter Holmes explained that although the Board does not regulate the sale of the oil, a licensed technician would be needed to re-configure the piping and pump the fuel as these actions constitute oil service.

ADJOURNMENT

A motion was made to adjourn at 10:18 a.m.

Motion: Lionel Landry

Second: Jonathan Klages

Unanimous

*Respectfully submitted,
Vickey Gray*